

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 545
House Committee Substitute Favorable 6/21/17
Third Edition Engrossed 6/22/17

Short Title: State Nature and Historic Preserve Adds/Dels.

(Public)

Sponsors:

Referred to:

April 3, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE INSTALLATION OF A PUBLIC SAFETY
3 TELECOMMUNICATIONS FACILITY IN CHIMNEY ROCK STATE PARK, TO
4 ACCEPT CERTAIN OTHER PROPERTIES AS PART OF THE STATE NATURE AND
5 HISTORIC PRESERVE, AND TO REMOVE CERTAIN LANDS FROM THE STATE
6 NATURE AND HISTORIC PRESERVE.

7 Whereas, Section 5 of Article XIV of the North Carolina Constitution authorizes the
8 dedication of State and local government properties as part of the State Nature and Historic
9 Preserve upon acceptance by a law enacted by a three-fifths vote of the members of each house
10 of the General Assembly and provides for removal of properties from the State Nature and
11 Historic Preserve by a law enacted by a three-fifths vote of the members of each chamber of the
12 General Assembly; and

13 Whereas, the General Assembly enacted the State Nature and Historic Preserve
14 Dedication Act, Chapter 443 of the 1973 Session Laws, to prescribe the conditions and
15 procedures under which properties may be specifically dedicated for the purposes set out in
16 Section 5 of Article XIV of the North Carolina Constitution; and

17 Whereas, more than 7,900 acres have been added to the State Parks System since
18 the last dedication and acceptance of properties as part of the State Nature and Historic
19 Preserve pursuant to a petition to the Council of State dated May 6, 2014; and

20 Whereas, in accordance with G.S. 143-260.8, on May 2, 2017, the Council of State
21 is scheduled to vote on a petition to the General Assembly to enact a law pursuant to Section 5
22 of Article XIV of the North Carolina Constitution to dedicate and accept properties added to
23 the State Parks System and designated in the petition for inclusion as parts of the State Nature
24 and Historic Preserve; and

25 Whereas, as a part of its petition of May 2, 2017, the Council of State is also slated
26 to request that the General Assembly remove certain properties from the State Nature and
27 Historic Preserve; and

28 Whereas, G.S. 143B-135.54 provides for additions to, and deletions from, the State
29 Parks System upon authorization by the General Assembly; Now, therefore,
30 The General Assembly of North Carolina enacts:

31 **SECTION 1.** G.S. 143-260.10 reads as rewritten:

32 **"§ 143-260.10. Components of State Nature and Historic Preserve.**

33 The following are components of the State Nature and Historic Preserve accepted by the
34 North Carolina General Assembly pursuant to G.S. 143-260.8:



- 1 (1) All lands and waters within the boundaries of the following units of the State
2 Parks System as of ~~May 6, 2014~~; May 2, 2017: Baldhead Island State
3 Natural Area, Bay Tree Lake State ~~Park~~, Natural Area, Bear Paw State
4 Natural Area, Beech Creek Bog State Natural Area, Bullhead Mountain
5 State Natural Area, Bushy Lake State Natural Area, Carolina Beach State
6 Park, Carvers Creek State Park, Cliffs of the Neuse State Park, Chowan
7 Swamp State Natural Area, Deep River State Trail, Dismal Swamp State
8 Park, Elk Knob State Park, Fort Fisher State Recreation Area, Fort Macon
9 State Park, Goose Creek State Park, Grandfather Mountain State Park, Haw
10 River State Park, Hammocks Beach State Park, Jones Lake State Park, Lake
11 Norman State Park, Lea Island State Natural Area, ~~Mayo River State Park~~,
12 Medoc Mountain State Park, Merchants Millpond State Park, Mount
13 Mitchell State Park, Occonechee Mountain State Natural Area, Pettigrew
14 State Park, Pilot Mountain State Park, Pineola Bog State Natural Area,
15 Raven Rock State Park, Run Hill State Natural Area, Sandy Run Savannas
16 State Natural Area, Singletary Lake State Park, Sugar Mountain State
17 Natural Area, Theodore Roosevelt State Natural Area, Weymouth
18 Woods-Sandhills State Natural Area, and Yellow Mountain State Natural
19 Area.
- 20 (2) All lands and waters within the boundaries of William B. Umstead State
21 Park as of ~~May 6, 2014~~; May 2, 2017, with the exception of Tract Number
22 65, containing 22.93140 acres as shown on a survey prepared by John S.
23 Lawrence (RLS) and Bennie R. Smith (RLS), entitled "Property of The State
24 of North Carolina William B. Umstead State Park", dated January 14, 1977
25 and filed in the State Property Office, which was removed from the State
26 Nature and Historic Preserve by Chapter 450, Section 1 of the 1985 Session
27 Laws. The tract excluded from the State Nature and Historic Preserve under
28 this subdivision is deleted from the State Parks System in accordance with
29 G.S. 143B-135.54. The State of North Carolina may only exchange this land
30 for other land for the expansion of William B. Umstead State Park or sell
31 and use the proceeds for that purpose. The State of North Carolina may not
32 otherwise sell or exchange this land.
- 33 (3) Repealed by Session Laws 1999-268, s. 2.
- 34 (4) All lands within the boundaries of Morrow Mountain State Park as of ~~May 6,~~
35 2014; May 2, 2017, with the exception of the following tract: That certain
36 tract or parcel of land at Morrow Mountain State Park in Stanly County,
37 North Albemarle Township, containing 0.303 acres, more or less, as
38 surveyed and platted by Thomas W. Harris R.L.S., on a map dated August
39 27, 1988, and filed in the State Property Office, reference to which is hereby
40 made for a more complete description.
- 41 (5) Repealed by Session Laws 1999-268, s. 2.
- 42 (6) All land within the boundaries of Crowders Mountain State Park as of ~~May~~
43 6, 2014; May 2, 2017, with the exception of the following tracts. The tracts
44 excluded from the State Nature and Historic Preserve under this subdivision
45 are deleted from the State Parks System in accordance with
46 G.S. 143B-135.54. The State of North Carolina may only exchange this land
47 for other land for the expansion of Crowders Mountain State Park or sell this
48 land and use the proceeds for that purpose. The State may not otherwise sell
49 or exchange this land.
- 50 a. The portion of that certain tract or parcel of land at Crowders
51 Mountain State Park in Gaston County, Crowders Mountain

- 1 Township, described in Deed Book 1939, page 800, and containing
2 757.28 square feet and as shown in a survey by Tanner and
3 McConnaughey, P.A. dated July 22, 1988 and filed in the State
4 Property Office.
- 5 b. The portion of that certain tract or parcel of land at Crowders
6 Mountain State Park in Gaston County, east of and including the
7 right-of-way along and across Old Peach Orchard Road, as shown in
8 a survey by the City of Gastonia, File No. 400-194, dated November
9 23, 1998, and filed in the State Property Office.
- 10 c. The portion of that certain tract or parcel of land at Crowders
11 Mountain State Park in Cleveland County, described in Deed Book
12 1286, Page No. 85, located on the north side of SR 2245 (Bethlehem
13 Road) and containing 14,964 square feet as shown on the survey
14 entitled "Survey for Crowders Mountain State Park, Deed Book
15 1103-107, Township 4 Kings Mountain, Cleveland County, N.C." by
16 David W. Dickson, P.A. dated February 28, 2008.
- 17 d. The portion of that certain tract or parcel of land at Crowders
18 Mountain State Park in Cleveland County, described in Deed Book
19 1286, Page 85, and containing 0.06 acres and 0.515 acres as shown
20 on the survey entitled "Boundary Survey for the State of N.C.
21 Department of Administration, Township No. Four Cleveland
22 County, N.C." by Carolinas Design Group, PLLC, dated November
23 6, 2007.
- 24 e. The portion of that certain tract or parcel of land at Crowders
25 Mountain State Park in Gaston County, described in Deed Book
26 2829, page 518, and containing 0.15 acres as shown on the survey
27 entitled "Survey Made at Request of Larry Hyde, Park
28 Superintendent, Crowders Mountain State Park" by Gray Surveying
29 Co., Inc., dated September 12, 2012.
- 30 (7) All lands owned in fee simple by the State within the boundaries of New
31 River State Park as of ~~May 6, 2014~~ May 2, 2017, with the exception of the
32 following tracts: The portion of that certain tract or parcel of land at New
33 River State Park in Ashe County, Chestnut Hill Township, described in
34 Deed Book 432, Page 724, and containing 44,033 square feet as shown on
35 the survey prepared by Thomas Herman Company, PLLC and entitled
36 "Survey for State of North Carolina, Division of Parks and Recreation;
37 Harold Davis; and Joe Davis" dated March 24, 2017, and on file with the
38 State Property Office.
- 39 (8) All lands and waters within the boundaries of Stone Mountain State Park as
40 of ~~May 6, 2014~~ May 2, 2017, with the exception of the following tracts: The
41 portion of that certain tract or parcel of land at Stone Mountain State Park in
42 Wilkes County, Traphill Township, described as parcel 33-02 in Deed Book
43 633-193, and more particularly described as all of the land in this parcel
44 lying to the west of the eastern edge of the Air Bellows Road, as shown on
45 the National Park Service Land Status Map 33 dated March 24, 1981 and
46 filed in the State Property Office, containing approximately 72 acres. The
47 tract excluded from the State Nature and Historic Preserve under this
48 subdivision is deleted from the State Parks System in accordance with
49 G.S. 143B-135.54.
- 50 (9) All lands and waters located within the boundaries of the following State
51 Historic Sites as of ~~May 6, 2014~~ May 2, 2017: Alamance Battleground,

1 Charles B. Aycock Birthplace, Historic Bath, Bennett Place, Bentonville
2 Battleground, Brunswick Town/Fort Anderson, C.S.S. Neuse and Governor
3 Caswell Memorial, Charlotte Hawkins Brown Memorial, Duke Homestead,
4 Historic Edenton, Fort Dobbs, Fort Fisher, Historic Halifax, Horne Creek
5 Living Historical Farm, House in the Horseshoe, North Carolina
6 Transportation Museum, President James K. Polk Memorial, Polk, Reed
7 Gold Mine, Somerset Place, Historic Stagville, State Capitol, Town Creek
8 Indian Mound, Tryon Palace Historic Sites & Gardens, Zebulon B. Vance
9 Birthplace, Endor Iron Furnace, and Thomas Wolfe Memorial.

10 (10), (11) Repealed by Session Laws 2001-217, s. 2, effective June 15, 2001.

11 (12) All lands and waters located within the boundaries of Hanging Rock State
12 Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following
13 tract: The portion of that tract or property at Hanging Rock State Park in
14 Stokes County, Danbury Township, described in Deed Book 360, Page 160,
15 for a 30-foot wide right-of-way beginning approximately 183 feet south of
16 SR 1001 and extending in a southerly direction approximately 1,479 feet to
17 the southwest corner of the Bobby Joe Lankford tract and more particularly
18 shown on a survey entitled, "J. Spot Taylor Heirs Survey, Danbury
19 Township, Stokes County, N.C.", by Grinski Surveying Company, dated
20 June 1985, and filed in the State Property Office. The tract excluded from
21 the State Nature and Historic Preserve under this subdivision is deleted from
22 the State Parks System in accordance with G.S. 143B-135.54.

23 (13) All lands and waters located within the boundaries of South Mountains State
24 Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following
25 tracts. The tracts excluded from the State Nature and Historic Preserve under
26 this subdivision are deleted from the State Parks System in accordance with
27 G.S. 143B-135.54.

28 a. b. Repealed by Session Laws 2007-307, s. 1, effective July 28, 2007.

29 c. The portions of land at South Mountains State Park that lie south of
30 the centerline of the CCC road as shown on the drawing entitled
31 "Land Trade between South Mountains State Park and Adjacent
32 Game Lands along CCC Road" prepared by the Wildlife Resources
33 Commission in January 2013 and filed in the State Property Office
34 and that lie within: (i) the tract or property in Burke County, Lower
35 Fork Township, described in Deed Book 495, Page 501; (ii) the tract
36 or property in Burke County, Lower Fork and Upper Fork
37 Townships, described in Deed Book 715, Page 719; (iii) within the
38 tracts or property in Burke County, Upper Fork Township, described
39 in Deed Book 860, Page 341, and Deed Book 884, Page 1640; (iv)
40 within that tract or property in Burke County, Silver Creek
41 Township, described in Deed Book 1847, Page 287; (v) within that
42 tract or property in Burke County, Upper Creek Township, described
43 in Deed Book 882, Page 2347; (vi) within that tract or property in
44 Burke County, Upper Creek Township, described in Deed Book 882,
45 Page 2352; (vii) within that tract or property in Burke County, Upper
46 Fork Township, described in Deed Book 886, Page 1964; (viii)
47 within that tract or property in Burke County, Upper Fork Township,
48 Deed Book 767, Page 1360; (ix) within that tract or property in
49 Burke County, Upper Fork Township, Deed Book 884, Page 1648; or
50 (x) within that tract or property in Burke County, Upper Fork
51 Township, Book 886, Page 2228. The State of North Carolina may

- 1 only exchange this land for other land for the expansion of South
2 Mountains State Park or sell this land and use the proceeds for that
3 purpose. The State may not otherwise sell or exchange this land.
- 4 d. Repealed by Session Laws 2007-307, s. 1, effective July 28, 2007.
- 5 (14) Repealed by Session Laws 2003-234, s. 1, effective June 19, 2003.
- 6 (15) All lands and waters within the boundaries of Jockey's Ridge State Park as
7 of ~~May 6, 2014~~, May 2, 2017, with the exception of the following tracts: The
8 portion of those certain tracts or parcels of land at Jockey's Ridge State Park
9 in Dare County, Nags Head Township, described in Deed Book 227, Page
10 499, and Deed Book 227, Page 501, and containing 33,901 square feet as
11 shown on the survey prepared by Styons Surveying Services entitled "Raw
12 Water Well Site 13 Jockey's Ridge State Park" dated March 7, 2001, and
13 filed in the State Property Office; the portion of that certain tract or parcel of
14 land at Jockey's Ridge State Park in Dare County, Nags Head Township,
15 described in Deed Book 222, Page 726, and containing 42,909 square feet as
16 shown on the survey prepared by Styons Surveying Services entitled "Raw
17 Water Well Site 14 Jockey's Ridge State Park" dated March 7, 2001, and
18 filed in the State Property Office; ~~and~~ the portion of that certain tract or
19 parcel of land at Jockey's Ridge State Park in Dare County, Nags Head
20 Township, described in Deed Book 224, Page 790, and Deed Book 224,
21 Page 794, and containing 34,471 square feet as shown on the survey
22 prepared by Styons Surveying Services entitled "Raw Water Well Site 15
23 Jockey's Ridge State Park" dated March 7, 2001, and filed in the State
24 Property Office; and the portion of those certain tracts or parcels of land at
25 Jockey's Ridge State Park in Dare County, Nags Head Township, described
26 in Deed Book 227, Page 501, and Deed Book 230, Page 525, and containing
27 12,655 square feet as shown on the preliminary plat entitled "Easement
28 Survey for Town of Nags Head" prepared by Seaboard Surveying &
29 Planning, Inc., dated August 29, 2012.
- 30 (16) All lands and waters located within the boundaries of Mount Jefferson State
31 Natural Area as of ~~May 6, 2014~~, May 2, 2017. With respect to the
32 communications tower site on the top of Mount Jefferson and located on that
33 certain tract or parcel of land at Mount Jefferson State Natural Area in Ashe
34 County, West Jefferson Township, described in Deed Book F-3, Page 94, the
35 State may provide space at the communications tower site to State public
36 safety and emergency management agencies for the placement of antennas,
37 repeaters, and other communications devices for public communications
38 purposes. ~~Notwithstanding~~ In conformance with G.S. 146-29.2, the State
39 may lease space at the communications tower site to local governments in
40 Ashe County for the placement of antennas, repeaters, and other
41 communications devices for public communications purposes. State agencies
42 and local governments that are authorized to place communications devices
43 at the communications tower site pursuant to this subdivision may also
44 locate at or near the communications tower site communications equipment
45 that is necessary for the proper operation of the communications devices.
46 The use of the communications tower site pursuant to this subdivision is
47 authorized by the General Assembly as a purpose other than the public
48 purposes specified in Article XIV, Section 5, of the North Carolina
49 Constitution, Article 25B of Chapter 143 of the General Statutes, and Part 32
50 of Article 7 [Article 2] of Chapter 143B of the General Statutes.

- 1 (17) All lands and waters within the Eno River State Park as of ~~May 6, 2014,~~
2 May 2, 2017, with the exception of the following tracts:
- 3 a. The portion of that certain tract or parcel of land at Eno River State
4 Park in Durham County, Durham Outside Township, described in
5 Deed Book 435, Page 673, and Plat Book 87, Page 66, containing
6 11,000 square feet and being the portion of Lot No. 2 shown as the
7 existing scenic easement hereby removed on the drawing prepared by
8 Sear-Brown entitled "Recombination Plat Eno Forest Subdivision"
9 bearing the preparer's file name 00-208-07.dwg, and filed with State
10 Property Office. The tract excluded from the State Nature and
11 Historic Preserve under this subdivision is deleted from the State
12 Parks System pursuant to G.S. 143B-135.54. The State of North
13 Carolina may only exchange this land for other land for the
14 expansion of Eno River State Park or sell this land and use the
15 proceeds for that purpose. The State may not otherwise sell or
16 exchange this land.
- 17 b. The portion of that certain tract or parcel of land at Eno River State
18 Park in Orange County, described in Deed Book 3878, Page 461, and
19 Plat Book 98, Page 11, containing 5,313 square feet and required for
20 the permanent easements for bridge replacement project B-4216 on
21 SR 1002 (St. Mary's Road), as shown in the drawing entitled
22 "Preliminary Plans, Project Reference No. B-4216" prepared for
23 North Carolina Department of Transportation by Mulkey Engineers
24 and Consultants dated March 10, 2009, and filed with the State
25 Property Office. The tracts excluded from the State Nature and
26 Historic Preserve under this section are deleted from the State Parks
27 System pursuant to G.S. 143B-135.54. The State of North Carolina
28 may only exchange this land for other land for the expansion of Eno
29 River State Park or sell this land and use the proceeds for that
30 purpose. The State may not otherwise sell or exchange this land.
- 31 (18) All land and waters within the boundaries of Hemlock Bluffs State Natural
32 Area as of ~~May 6, 2014,~~ May 2, 2017, with the exception of the following
33 tracts: The portion of that certain tract or parcel of land at Hemlock Bluffs
34 State Natural Area in Wake County, Swift Creek Township, described in
35 Deed Book 2461, Page 037, containing 2,025 square feet and being the
36 portion of this tract shown as proposed R/W on the drawing prepared by
37 Titan Atlantic Group entitled "Right of Way Acquisition Map for Town of
38 Cary Widening of Kildaire Farm Road (SR 1300) from Autumgate Drive to
39 Palace Green" sheet 1 of 3 bearing the preparer's file name Town of Cary
40 Case File No. TOC 01-37, dated 26 September 2003, and filed with the State
41 Property Office; and the portion of those certain tracts or parcels of land at
42 Hemlock Bluffs State Natural Area in Wake County, Swift Creek Township,
43 described in Deed Book 4670, Page 420, containing 24,092 square feet and
44 being the portion of these tracts shown as proposed R/W on the drawing
45 prepared by Titan Atlantic Group entitled "Right of Way Acquisition Map
46 for Town of Cary Widening of Kildaire Farm Road (SR 1300) from
47 Autumgate Drive to Palace Green" sheet 3 of 3 bearing the preparer's file
48 name Town of Cary Case File No. TOC 01-37, dated 26 September 2003,
49 and filed with the State Property Office. The tracts excluded from the State
50 Nature and Historic Preserve under this subdivision are deleted from the
51 State Parks System pursuant to G.S. 143B-135.54. The State of North

1 Carolina may only exchange this land for other land for the expansion of
2 Hemlock Bluffs State Natural Area or sell this land and use the proceeds for
3 that purpose. The State may not otherwise sell or exchange this land.

4 (19) All lands and waters within the boundaries of Lake James State Park as of
5 ~~May 6, 2014, May 2, 2017,~~ with the exception of the following tracts:

6 a. The portion of that certain tract or parcel of land at Lake James State
7 Park containing 13.85 acres, and being 100 feet to the east and 150
8 feet to the west of a centerline shown on a survey by Witherspoon
9 Surveying PLLC, dated February 9, 2007, and filed in the State
10 Property Office. The State of North Carolina may grant a temporary
11 easement to Duke Energy Corporation across this tract to facilitate
12 the Catawba Dam Embankment Seismic Stability Improvements
13 Project. The grant of the easement within Lake James State Park to
14 Duke Energy Corporation under this sub-subdivision constitutes
15 authorization by the General Assembly that the described tract of
16 land may be used for a purpose other than the public purposes
17 specified in Article XIV, Section 5, of the North Carolina
18 Constitution, Article 25B of Chapter 143 of the General Statutes, and
19 Part 32 of Article 7 [Article 2] of Chapter 143B of the General
20 Statutes. The State of North Carolina may use the proceeds from the
21 easement only for the expansion or improvement of Lake James State
22 Park or another State park. The State may not otherwise sell or
23 exchange this land.

24 b. The portion of that certain tract or parcel of land at Lake James State
25 Park in McDowell County, Nebo Township, described in Deed Book
26 377, Page 423, and also shown as Tract B on the plat of survey
27 prepared by Kenneth D. Suttles, RLS, dated December 4, 1987,
28 entitled "Lake James State Park," Sheet 1 of 2, recorded in Plat Book
29 4, Page 275 of the McDowell County Registry, for a 40-foot
30 right-of-way beginning at the southwest corner of Tract B and
31 continuing along the southern boundary 86 38' 51" E for 400 feet to
32 the now or former John D. Walker property. The State of North
33 Carolina may grant an easement across this tract to extinguish
34 prescriptive easements on Tract B to improve management of the
35 State park property. The State may not otherwise sell or exchange
36 this land. The easement excluded from the State Nature and Historic
37 Preserve under this subdivision is deleted from the State Parks
38 System pursuant to G.S. 143B-135.54.

39 c. That portion of that certain tract or parcel of land at Lake James State
40 Park in Burke County, Linville Township, described in Deed Book
41 1431, Page 859, and shown on the survey prepared by Suttles
42 Surveying, PA dated May 2, 2014, entitled "Survey for State of
43 North Carolina," containing 3.41 acres and on file with the State
44 Property Office. The tracts excluded from the State Nature and
45 Historic Preserve under this subdivision are deleted from the State
46 Parks System in accordance with G.S. 143B-135.54. The State of
47 North Carolina may only exchange this land for other land for the
48 expansion of Lake James State Park or sell this land and use the
49 proceeds for that purpose. The State may not otherwise sell or
50 exchange this land.

1 (20) All lands and waters within the boundaries of Lake Waccamaw State Park as
2 of ~~May 6, 2014, May 2, 2017~~, with the exception of the following tracts: The
3 portions of that certain tract or parcel of land at Lake Waccamaw State Park
4 in Columbus County described in Deed Book 835, Page 590, containing
5 48,210 square feet and being the portion of this tract shown as new R/W and
6 permanent utility easement on drawing prepared by State of North Carolina
7 Department of Transportation entitled "Map of Proposed Right of Way
8 Property of State of North Carolina (Parks and Recreation) Columbus
9 County" for Tip B-3830 on SR 1947 (Bella Coola Road) done by John E.
10 Kaukola, PLS No. 3999 and compiled 1-18-2008, and filed with the State
11 Property Office. The tracts excluded from the State Nature and Historic
12 Preserve under this section are deleted from the State Parks System pursuant
13 to G.S. 143B-135.54. The State of North Carolina may only exchange this
14 land for other land for the expansion of Lake Waccamaw State Park or sell
15 this land and use the proceeds for that purpose. The State may not otherwise
16 sell or exchange this land.

17 (21) All lands and waters within the boundaries of Chimney Rock State Park as
18 of ~~May 6, 2014, May 2, 2017~~, with the exception of the following tracts:

19 a. The portion of that certain tract or parcel of land at Chimney Rock
20 State Park in Rutherford County being a portion of Parcel 2 as
21 described in Deed Book 933, Page 598, containing 346 square feet
22 and being shown as proposed right-of-way for bridge replacement
23 project B-4258 on U.S. 64 over the Broad River on drawing prepared
24 by Kimley-Horn and Associates for the North Carolina Department
25 of Transportation and revised October 26, 2007, and filed with the
26 State Property Office. The portion of that certain tract or parcel of
27 land at Chimney Rock State Park in Polk County, Cooper Gap
28 Township, Deed Book 393, Page 1402, containing 6.5 acres more or
29 less and shown on the survey entitled "Plat of Survey for The State of
30 North Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014,
31 and filed with the State Property Office. The tracts excluded from the
32 State Nature and Historic Preserve under this section are deleted
33 from the State Parks System pursuant to G.S. 143B-135.54. The State
34 of North Carolina may only exchange this land for other land for the
35 expansion of Chimney Rock State Park or sell this land and use the
36 proceeds for that purpose. The State may not otherwise sell or
37 exchange this land.

38 b. With respect to the communications tower site on Chimney Rock
39 Mountain located on a portion of that certain tract or parcel of land at
40 Chimney Rock State Park in Rutherford County, Chimney Rock
41 Township, described in Deed Book 933, Page 598, the State may
42 provide space at the communications tower site to State public
43 safety, emergency management, local governments in Rutherford
44 County, and public television agencies for the placement of antennas,
45 repeaters, and other communications devices for public
46 communications purposes. State agencies and local governments that
47 are authorized to place communications devices at or near the
48 communications tower site pursuant to this subdivision may also
49 locate at or near the communications tower site communications
50 equipment necessary for the proper operation of the communications
51 devices. The use of the communications tower site pursuant to this

1 subdivision is authorized by the General Assembly as a purpose other
2 than the public purposes specified in Section 5 of Article XIV of the
3 North Carolina Constitution, Article 25B of Chapter 143 of the
4 General Statutes, and Article 2 of Chapter 143B of the General
5 Statutes.

6 (22) All State-owned land and waters within the boundaries of the
7 Mountains-to-Sea Trail as of ~~May 6, 2014~~, May 2, 2017, with the exception
8 of the following tract: The portion of that certain tract or parcel in Johnston
9 County described in Deed Book 3634, Page 278, containing 4.72 acres and
10 being described as proposed easement area for Piedmont Natural Gas
11 Company transmission line on drawing entitled "Easement Survey Prepared
12 for Piedmont Natural Gas Company, Line 142, Easement to be Acquired
13 from the State of North Carolina" by McKim & Creed and dated July 31,
14 2008, and revised March 11, 2009. The State of North Carolina may grant an
15 easement to Piedmont Natural Gas Company across this tract to facilitate the
16 transmission of natural gas. The grant of the easement within the
17 Mountains-to-Sea Trail to Piedmont Natural Gas Company under this
18 section constitutes authorization by the General Assembly that the described
19 tract of land may be used for a purpose other than the public purposes
20 specified in Section 5 of Article XIV of the North Carolina Constitution,
21 Article 25B of Chapter 143 of the General Statutes, and Part 32 of Article 7
22 [Article 2] of Chapter 143B of the General Statutes. The State of North
23 Carolina may use the proceeds from the easement only for the expansion or
24 improvement of the Mountains-to-Sea Trail or another State park. The State
25 may not otherwise sell or exchange this land.

26 (23) All State-owned land and waters within the boundaries of Gorges State Park
27 as of ~~May 6, 2014~~, May 2, 2017, with the exception of the following tracts:
28 The portions of that certain tract or parcel of land in Transylvania County,
29 described in Deed Book 267, Page 838, containing a total of 7.26 acres for
30 the North Carolina Department of Transportation project TIP R-2409C US
31 64 Safety Improvements. As shown on right-of-way drawing from the North
32 Carolina Department of Transportation dated May 22, 2014, for TIP
33 R-2409C, Parcel 002, on file with the State Property Office. The tract
34 excluded from the State Nature and Historic Preserve under this subdivision
35 is deleted from the State Parks System in accordance with
36 G.S. 143B-135.54. The State of North Carolina may only exchange this land
37 for other land for the expansion of Gorges State Park or sell this land and use
38 the proceeds for that purpose. The State may not otherwise sell or exchange
39 this land.

40 (24) All State-owned land and waters within the boundaries of Lower Haw State
41 Natural Area as of ~~May 6, 2014~~, May 2, 2017, with the exception of the
42 following tract: the portion of that certain tract or parcels in Chatham
43 County, described in Deed Book 1319, Page 1047, containing 12,501 square
44 feet and shown on a survey entitled "Recombination Survey for the North
45 Carolina Division of Parks and Recreation and PK Ventures I LTD
46 Partnership" prepared by S.D. Puckett and Associates dated April 22, 2014,
47 and on file with the State Property Office. The tract excluded from the State
48 Nature and Historic Preserve under this subdivision is deleted from the State
49 Parks System in accordance with G.S. 143B-135.54. The State of North
50 Carolina may only exchange this land for other land for the expansion of

- 1 Lower Haw State Natural Area or sell this land and use the proceeds for that
2 purpose. The State may not otherwise sell or exchange this land.
- 3 (25) All State-owned land and waters within the boundaries of Lumber River
4 State Park as of ~~May 6, 2014~~, May 2, 2017, with the exception of the
5 following tracts:
- 6 a. The portions of those certain tracts or parcels of land in Robeson
7 County, described in Deed Book 919, Page 862, Deed Book 1097,
8 Page 837, Deed Book 935, Page 170, Deed Book 1125, Page 562,
9 and Deed Book 1117, Page 680, containing a total of 3.39 acres for
10 the North Carolina Department of Transportation secondary road
11 project 6C.078030 SR 2245 (VC Britt Road) and shown on the
12 survey entitled "Survey of Tracts 1A and 1B, VC Britt Rd, Orrum
13 NC" prepared by the North Carolina Department of Transportation.
14 The tracts excluded from the State Nature and Historic Preserve
15 under this subdivision are deleted from the State Parks System in
16 accordance with G.S. 143B-135.54. The State of North Carolina may
17 only exchange this land for other land for the expansion of Lumber
18 River State Park or sell this land and use the proceeds for that
19 purpose. The State may not otherwise sell or exchange this land.
- 20 b. The portions of that certain tract or parcel of property at Lumber
21 River State Park in Robeson County, described in Deed Book 575,
22 Page 523, and containing approximately 1.08 acre (Tract A) and 0.12
23 acre (Tract C) as shown in a survey by Jerry W. Lee entitled "Survey
24 for State of North Carolina" dated June 28, 2016. The land described
25 in this sub-subdivision is deleted from the State Park System in
26 accordance with G.S. 143B-135.54. The State of North Carolina may
27 only exchange this land for other land for the expansion of Lumber
28 River State Park or sell this land and use the proceeds for that
29 purpose. The State may not otherwise sell or exchange this land.
- 30 c. The portion of those certain tracts or parcels of land at Lumber River
31 State Park in Robeson County, Pembroke Township, described in
32 Deed Book 575, Page 523 and Deed Book 931, Page 415 and
33 containing a total of approximately 2.12 acres as shown in surveys
34 prepared by McKim and Creed and labeled Drawing Number
35 2017-041 and 2017-042 dated April 24, 2017, and on file with the
36 State Property Office.
- 37 (26) All State-owned land and waters within the boundaries of Mitchells
38 Millpond State Natural Area as of ~~May 6, 2014~~, May 2, 2017, with the
39 exception of the following tract: the portions of that certain tract or parcel in
40 Wake County, described in Deed Book 2445, Page 62, containing
41 approximately 0.215 acres as shown on the right-of-way plan for SR 2224
42 (Mitchell Mill Road) bridge No. 162 replacement project and on file with the
43 State Property Office. The tract excluded from the State Nature and Historic
44 Preserve under this subdivision is deleted from the State Parks System in
45 accordance with G.S. 143B-135.54. The State of North Carolina may only
46 exchange this land for other land for the expansion of the State Parks system
47 or sell this land and use the proceeds for that purpose. The State may not
48 otherwise sell or exchange this land.
- 49 (27) All lands and waters within the boundaries of Carvers Creek State Park as of
50 May 2, 2017, with the exception of the following tract: the portion of that
51 certain tract or parcel of land at Carvers Creek State Park in Cumberland

1 County, described in Deed Book 8466, Page 67, and containing 0.33 acres,
2 more or less, as shown on the survey entitled "Ingress-Egress Easement for
3 Stone Mountain Farm, LLC & William C. Elliott, Estate & The State of
4 North Carolina" by George L. Lott, PLS, dated November 2013, and revised
5 in May 2015 and filed with the State Property Office.

6 (28) All lands and waters within the boundaries of Mayo River State Park as of
7 May 2, 2017, with the exception of the following tracts, to allow
8 construction of an access bridge from a tract or parcel of land owned by the
9 State of North Carolina over the Mayo River, which bridge shall be of
10 sufficient width to allow emergency vehicle and State Park vehicle access
11 for the purpose of addressing public safety issues and service vehicle access
12 to monitor, maintain, repair, or replace the existing sewer line traversing
13 portions of Mayo River State Park:

14 a. The portion of that certain tract or parcel of land at Mayo River State
15 Park in Rockingham County described in Deed Book 1244, Page
16 1392, and containing 6.62 acres.

17 b. The portion of that certain tract or parcel of land at Mayo River State
18 Park in Rockingham County described in Deed Book 1244, Page
19 1390, and containing .62 acres.

20 c. The portion of that certain tract or parcel of land at Mayo River State
21 Park in Rockingham County described in Deed Book 1353, Page
22 2214, and containing .61 acres.

23 d. The portion of that certain tract or parcel of land at Mayo River State
24 Park in Rockingham County described in Deed Book 1353, Page
25 2216, and containing .52 acres.

26 e. The portion of that certain tract or parcel of land at Mayo River State
27 Park in Rockingham County described in Deed Book 1353, Page
28 2216, and containing 1.54 acres."

29 **SECTION 2.(a)** The State of North Carolina shall grant any easements necessary
30 to the Town of Mayodan for construction of the bridge described in subdivision (28) of
31 G.S. 143-260.10, as enacted by Section 1 of this act, and ancillary parking facilities and for
32 maintenance and repair of existing sewer lines traversing land at Mayo River State Park in
33 Rockingham County. Notwithstanding any other provision of law, no fee, royalty, or other cost
34 shall be imposed for the grant of the easements.

35 **SECTION 2.(b)** No later than May 1, 2017, the State shall cause to be performed a
36 survey of State lands necessary for construction of the bridge described in subdivision (28) of
37 G.S. 143-260.10, as enacted by Section 1 of this act, and maintenance and repair of existing
38 sewer lines traversing land at Mayo River State Park in Rockingham County and shall file said
39 survey with the State Property Office.

40 **SECTION 3.** The facility authorized under this act shall be constructed in
41 accordance with the provisions of general law applicable to the construction of State facilities,
42 except as otherwise provided in this section. Notwithstanding any other provision of law,
43 construction of the facilities authorized by this act shall be exempt from the following statutes
44 and rules implementing those statutes: Articles 3 and 8 of Chapter 143, Articles 1 and 4 of
45 Chapter 113A. Notwithstanding G.S. 146-11 and Article 16 of Chapter 146 of the General
46 Statutes, the approval of the Council of State shall not be required for the granting of easements
47 for the facility authorized under this act. With respect to any other environmental permits
48 required for construction of the facility, the Department of Environmental Quality is directed to
49 expedite permitting of the project to the extent allowed by law and shall waive any application
50 fees that would be otherwise applicable to applications for permits required for the facilities

1 and, where possible under applicable law, issue all permits within 40 days of receipt of a
2 complete application.

3 **SECTION 4.** This act is effective when it becomes law.